

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHRISTOPHER BURR, individually and
as adoptive parent and legal guardian of
L.B., a minor; and SUAN HOY guardian
ad litem for L.B., a minor,

Plaintiff,

v.

CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES; COUNTY OF
CLARK, a political subdivision of the State of
Nevada; HEATHER MUMMEY, individually
and in her official capacity; TIM BURCH,
individually and in his official capacity; ROE
CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES EMPLOYEES I
through X, individually and in their official
capacities; JONEL KAYE REPOLLO
QUERRER, individually; DOES I through
XX; and ROE CORPORATIONS I through
XX, inclusive,

Defendants.

Case No. 2:20-cv-001101-JCM-EJY

ORDER

Pending before the Court is Defendants' Clark County and Heather Mummey's Motion for Leave to File Exhibits Under Seal in Support of Motion to Compel L.B.'s Psychological and Neuropsychological Examination. ECF No. 36. No opposition to this Motion was filed.

"Historically, courts have recognized a general right to inspect and copy public records and documents, including judicial records and documents." *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal quotation marks and citation omitted). As the party seeking to seal a judicial record, Defendants must meet their burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Id.* at 1178-79 (holding that those who seek to maintain the secrecy of documents attached to non-dispositive motions must demonstrate "good cause" supporting secrecy). Here, the records at issue are medical and highly personal to L.B. They are records traditionally protected under HIPAA and disclosed pursuant to

1 the Protective Order in this Case. The Court finds good cause for sealing the exhibits Defendants
2 attach to their Motion to Compel.

3 Accordingly, IT IS HEREBY ORDERED that Defendants' Clark County and Heather
4 Mummey's Motion for Leave to File Exhibits Under Seal in Support of Motion to Compel L.B.'s
5 Psychological and Neuropsychological Examination (ECF No. 36) is GRANTED.

6 IT IS FURTHER ORDERED that Exhibits A, C, D, E, F, G, H, I, J, and O are and shall
7 remain sealed.

8 Dated this 27th day of April, 2022.

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11 ELAYNA J. YOUCHAK
12 UNITED STATES MAGISTRATE JUDGE
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